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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,401	09/12/2001	Yuergen Boehmke	60027.0032US01	1538
23552	7590	03/04/2004	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			RAMAKRISHNAIAH, MELUR	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,401

Applicant(s)

BOEHMKE, YUERGEN

Examiner

Melur Ramakrishnaiah

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: 14-7
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 4-6, 8, are rejected under 35 U.S.C 102(b) as being anticipated by Sprecher et al. (US PAT: 5,285,494, hereinafter Sprecher).

Regarding claims 1, Sprecher discloses a computer implemented method for maintaining cellular telecommunications site data, comprising the steps of: providing a user interface (104, fig. 1) accepting identifier of a cellular communication site (col. 3 lines 33-35 and fig. 6), in real-time, determining the cellular telecommunications site data corresponding to the cellular telecommunications site identified by the identifier, and providing the cellular telecommunications site data to an output device in (104, fig. 6 col. 5 lines 61-68, col. 6 lines 1-2, lines 59-68, col. 7 lines 1-4).

Regarding claim 4, Sprecher further teaches an apparatus for maintaining cellular telecommunication site data comprising: a computer (104, fig. 1) for use in maintaining the cellular telecommunications site data, the computer having one or more processors that execute one or more sets of instructions, a memory device (implicit) for storing the one or more instructions to be executed and a storage device coupled to the

one or more processors, wherein the instructions in the memory device cause the one at more processors to: provide user interface in (104, fig. 1), accept an identifier of a cellular telecommunication site (col. 5 lines 61-68, col. 6 lines 1-2), in real-time, determine the cellular telecommunications site data corresponding to the cellular telecommunications identified by the identifier, and provide the cellular telecommunications site data to an output device (figs. 7-8, col. 6 lines 59-68, col. 7 lines 1-4).

Regarding claim 8, Sprecher further teaches computer implemented user interface for providing real-time cellular telecommunications site data to a user, the user interface comprising: plurality of tabs (fig. 7) the provide access to different aspects of the cellular telecommunications network site data within a selected region field, where plurality of tabs comprise a cell tab, and when the cell tab is selected, a plurality of location information is displayed to the user (fig. 8, col. 6 lines 59-68, col. 7 lines 1-4).

Regarding claims 2-3, and 5-6, Sprecher further teaches the following: user interface comprises a user interface to one or more users at (104, fig. 1), one or more users have access to changes made to cellular telecommunication site data by one other user (col. 10 lines 57-68, col. 11 lines 1-7), output device is selected from the group monitor in (104), a printer, a facsimile and a plotter (see figs. 7-8).

3. Claim 7 is rejected under 35 U.S.C 102(e) as being anticipated by Bengtsson et al. (US PAT: 6,347,217, filed 5-22-1997, hereinafter Bengtsson)

Regarding claim 7, Bengtsson discloses a computer-readable medium having a set of computer readable instructions stored thereon, wherein the computer-readable

instructions are operative to perform the following steps when executed by a computer: provide a user interface (fig. 4) accepting an identifier of a cellular telecommunications site (col. 5 lines 55-59), in real-time, determine the cellular telecommunications site data corresponding to the cellular telecommunications site identified by the identifier, and provide the cellular telecommunications to an output device (col. 5 lines 60-67, col. 6 lines 1-21, lines 60-64).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643